

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION**

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
	)	
v.	)	CAUSE NO.: 2:15-CR-80-JTM-JPK
	)	
GAILAND JACKSON, JR.,	)	
Defendant.	)	

**FINDINGS AND RECOMMENDATION OF THE MAGISTRATE JUDGE  
UPON A SUPERVISED RELEASE REVOCATION HEARING**

TO: THE HONORABLE JAMES T. MOODY,  
UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF INDIANA

On September 30, 2019, the United States Government appeared by counsel Assistant United States Attorney Nicholas Padilla. Defendant Gailand Jackson, Jr. appeared in person and by counsel Mark Gruenhagan and in the custody of the United States Marshal. United States Probation Officer Jonathan Reid appeared.

A Supervised Release Revocation Hearing was held. The Court received evidence and comments.

Based upon the record of proceedings the Court makes this Report and Recommendation.

On August 19, 2015, Defendant pled guilty to the Count I charge in the Information (possession with intent to distribute crack cocaine).

On March 22, 2016, Judge James T. Moody originally sentenced Defendant to 37 months of imprisonment and three years of supervised release subject to specified written terms and conditions.

On June 21, 2019, the United States Probation Department filed a Petition for Action on Conditions of Pretrial Release, (ECF No. 42), alleging that Defendant violated the terms and

conditions of his supervised release. On June 21, 2019, a warrant was issued for Defendant's arrest, and he was arrested on June 27, 2019. After a detention hearing on June 27, 2019, Defendant was ordered detained.

On July 12, 2019, the U.S. Probation Office filed an Amended Summary Report of Violations. (ECF No. 51).

On September 19, 2019, Defendant, by counsel, and the Government filed an Agreed Disposition of Supervised Release Violations, in which the parties agreed to have a magistrate judge preside over the hearing on revocation of supervised release.

On September 20, 2019, Judge James Moody issued an Order granting the request to transfer the hearing to a magistrate judge and referring the case to the undersigned Magistrate Judge for a Report and Recommendation including, if applicable, a recommended disposition under 18 U.S.C. § 3583(e).

As a result of the September 30, 2019 Supervised Release Revocation Hearing, the undersigned Magistrate Judge **FINDS** that:

1. Defendant has been advised of his right to remain silent, his right to counsel, his right to be advised of the charge against him, his right to a contested Supervised Release Revocation Hearing, and his rights in connection with such a hearing;
2. Defendant understands the proceedings, the allegations, and his rights;
3. Defendant knowingly and voluntarily admitted that he committed the applicable violations set forth in the June 21, 2019 Petition, (ECF No. 42), and Amended Summary Report, (ECF No. 51), and that the allegations supporting that violations are true; and

4. These violations are Grade C violations, the Defendant's criminal history category is III, the advisory guideline range is 5 to 11 months of imprisonment, and the statutory maximum sentence that may be imposed is 5 years of imprisonment.

The undersigned Magistrate Judge **RECOMMENDS** to Judge James Moody that:

5. Defendant be adjudged to have committed the violation of his supervised release described in the June 21, 2019 Petition (ECF No. 42);

6. The supervised release of Defendant be revoked;

7. Defendant be ordered committed to the United States Bureau of Prisons forthwith to serve 5 months of incarceration therein;

8. Defendant be given credit for time served while awaiting his sentencing;

9. Defendant serve his term of imprisonment in a Bureau of Prisons facility as close as possible to the Northern District of Indiana

10. After successful completion of the additional term of imprisonment, no further term of supervised release shall follow Defendant's sentence.

At the hearing, the parties waived the 14-day period in which to file objections to these Findings and Recommendation.

So ORDERED this 30th day of September, 2019.

s/ Joshua P. Kolar

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MAGISTRATE JUDGE JOSHUA P. KOLAR  
UNITED STATES DISTRICT COURT